

**MINUTES OF THE
FINANCE COMMITTEE**

WEDNESDAY, OCTOBER 8, 2008

At a meeting of the **Finance Committee**, held Wednesday, October 8, 2008, in the Board Room, on the 9th Floor of the Administration Building, Mount Clemens, the following members were present:

Slinde-Chair, Brdak, Brown, Bruley, Camphous-Peterson, Crouchman, DeSaele, DiMaria, Doherty, Drolet, Duzyj, D. Flynn, J. Flynn, Gielegghem, Haggerty, Lund, Mijac, Rengert, Roberts, Rocca, Sauger, Switalski, Szczepanski, Tocco, Torrice and Vosburg.

There being a quorum of the committee present, Chair Slinde called the meeting to order at 9:02 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA

MOTION

A motion was made by Camphous-Peterson, supported by Duzyj, to adopt the agenda, as amended (to include #11a, b and c and four additional travel requests). **The Motion Carried.**

MINUTES

MOTION

A motion was made by Haggerty, supported by Rengert, to approve the June 18 and July 23, 2008 minutes of this committee, as written. **The Motion Carried.**

PUBLIC PARTICIPATION

Nick Ciaramitaro, 19473 Candlelight, Roseville

LIST OF BILLS AS PREPARED BY THE FINANCE DEPARTMENT

COMMITTEE RECOMMENDATION - MOTION

A MOTION WAS MADE BY DUZYJ, SUPPORTED BY CAMPHOUS-PETERSON, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE MONTHLY BILLS (WITH CORRECTIONS, DELETIONS AND/OR ADDENDA) AND AUTHORIZE PAYMENT; FURTHER, TO APPROVE THE PAYROLL IN THE TOTAL AMOUNT OF \$5,242,321.49, WITH NECESSARY MODIFICATIONS TO THE APPROPRIATIONS. **THE MOTION CARRIED WITH TORRICE ABSTAINING FROM BILLS FOR TORRICE AND ZALEWSKI, PLLC/FEES-DEFENSE ATTORNEYS).**

**CONCUR IN THE RECOMMENDATION OF THE HUMAN RESOURCES
DIRECTOR AND THE RISK MANAGEMENT DIRECTOR TO ESTABLISH
A TRUST IN ORDER TO CONTINUE AETNA'S COVERAGE**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY HAGGERTY, SUPPORTED BY J. FLYNN, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE RECOMMENDATION OF THE HUMAN RESOURCES PROGRAM DIRECTOR AND THE DIRECTOR OF RISK MANAGEMENT TO ESTABLISH A TRUST IN ORDER TO CONTINUE COVERAGE OF AETNA'S GROUP LONG-TERM CARE FOR CURRENT MACOMB COUNTY EMPLOYEE PARTICIPANTS AND TO CEASE ENROLLMENT OF NEW PARTICIPANTS IN AETNA'S CLOSED PLAN; AETNA IS NO LONGER PROVIDING THIS BENEFIT. **THE MOTION CARRIED.**

**APPROVE PAYMENT TO BERNCO, INC. FOR CONSTRUCTION RENOVATIONS
AT THE JUVENILE JUSTICE CENTER (WAIVED BY OPERATIONAL SERVICES COMMITTEE
CHAIR)**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY RENGERT, SUPPORTED BY J. FLYNN, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE PAYMENT TO BERNCO, INC., IN THE AMOUNT OF \$528,634.97 FOR CONSTRUCTION SERVICES PERFORMED FOR THE JUVENILE JUSTICE CENTER – PHASE II RENOVATIONS; FURTHER, FUNDS FOR THIS PROJECT ARE AVAILABLE IN THE CAPITAL BUDGET. **THE MOTION CARRIED.**

**AUTHORIZE BOARD CHAIR TO SIGN MACOMB ORCHARD TRAIL COMMISSION
EASEMENT (WAIVED BY OPERATIONAL SERVICES COMMITTEE CHAIR)**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY BROWN, SUPPORTED BY TORRICE, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE BOARD CHAIR TO SIGN THE MACOMB ORCHARD TRAIL COMMISSION EASEMENT WITH THE ROAD COMMISSION OF MACOMB COUNTY AND 29 AND VAN DYKE INVESTMENT LLC. **THE MOTION CARRIED.**

**ADOPT CRITERIA AND GUIDELINES FOR PARTICIPATION IN THE EMPLOYEE
CASUAL DAY PROGRAM**

Ms. Deriemaecker referred to an amended document that was distributed, which included additional items 6, 7 and 8 and asked that those be included for approval.

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY CAMPHOUS-PETERSON, SUPPORTED BY DUZYJ, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT PROPOSED ELIGIBILITY CRITERIA AND SELECTION GUIDELINES FOR PARTICIPATION IN THE MACOMB COUNTY EMPLOYEE CASUAL DAY PROGRAM, AS AMENDED.

The following Commissioners spoke: Vosburg and Sauger.

Chair Slinde called for a vote on the motion, as amended, and **THE MOTION CARRIED.**

APPOINTMENTS OF LAW FIRMS

MOTION

A motion was made by J. Flynn, supported by Doherty, to appoint the following law firms:

Plunkett Cooney, P.C. to represent the County of Macomb in the litigation entitled Marc Fisher v County of Macomb, Macomb County Sheriff's Department, Sheriff Mark A. Hackel, Correctional Medical Services, Inc., et al.;

Plunkett Cooney, P.C. to represent the County of Macomb in the litigation entitled Danyelle Burrell v County of Macomb, City of Warren, Officer Booms, Officer Michael Anderson and Officer John Doe and

Plunkett Cooney, P.C. to represent the County of Macomb in the litigation entitled Roger VanHeck v County of Macomb, Judge James Biernat, Macomb County Sheriff's Department, Macomb County Prosecutor William Greshak, Deputy Dan Burbeula, Deputy Joseph Cracchiolo and Christopher Fraser.

The Motion Carried.

REQUEST BY MACOMB/ST. CLAIR EMPLOYMENT & TRAINING AGENCY FOR ADDITIONAL CASE MANAGER POSITION AND MODIFICATION TO CONTRACT

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY MIJAC, SUPPORTED BY CAMPHOUS-PETERSON, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE ADDITION OF ONE CASE MANAGER POSITION IN THE MACOMB/ST. CLAIR EMPLOYMENT AND TRAINING AGENCY AND MODIFICATION OF CONTRACT; THIS POSITION WILL BE 100 PERCENT GRANT FUNDED BY THE MACOMB/ST. CLAIR WORKFORCE DEVELOPMENT BOARD, AT NO COST TO THE COUNTY GENERAL FUND. **THE MOTION CARRIED.**

RECOMMENDATION FROM 10-2-08 HEALTH SERVICES COMMITTEE MEETING: APPROVE PLAN TITLED "BLUE PRINT FOR CHANGE" PRESENTED BY SOCIAL SERVICES BOARD FOR MARTHA T. BERRY

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY CAMPHOUS-PETERSON, SUPPORTED BY SAUGER, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE PLAN TITLED "BLUE PRINT FOR CHANGE" PRESENTED BY THE SOCIAL SERVICES BOARD FOR THE MARTHA T. BERRY MEDICAL CARE FACILITY, WITH SUBSIDY NEEDS OF \$2-\$4 MILLION FOR 2009 AND \$1-\$3 MILLION FOR 2010; ALSO, THAT QUARTERLY REPORTS BE PROVIDED.

Mr. Faccione distributed revisions and said it includes what they feel their subsidy will be for 2009 and 2010. Ms. Parzynski overviewed the financial information.

The following Commissioner spoke: Duzyj.

Commissioner Doherty offered a friendly amendment: THAT QUARTERLY REPORTS BE PROVIDED. It was accepted by the maker and supporter.

The following Commissioners spoke: Vosburg, Board Chair Crouchman, Drolet and DiMaria.

AMENDMENT

A MOTION WAS MADE BY SZCZEPANSKI, SUPPORTED BY BROWN, THAT UPON ADOPTION BY THIS COMMITTEE, THE PROPOSAL BE FORWARDED TO THE BUDGET COMMITTEE.

The following Commissioners spoke: Szczepanski, Rengert, Brdak, Doherty, Brown, DeSaele and Roberts.

MOTION

A motion was made by Bruley, supported by Switalski, to call for the question.

A roll call vote was taken as follows:

Voting Yes were Brdak, Brown, Bruley, Camphous-Peterson, Crouchman, DeSaele, Drolet, D. Flynn, J. Flynn, Gielegghem, Haggerty, Mijac, Roberts, Rocca, Sauger, Switalski, Tocco, Torrice and Slinde. There were 19 "Yes" votes.

Voting No were DiMaria, Doherty, Duzyj, Lund, Rengert, Vosburg and Szczepanski. There were 7 "No" votes.

The Motion Carried.

A ROLL CALL VOTE WAS TAKEN ON THE AMENDMENT AS FOLLOWS:

VOTING YES WERE BROWN, DROLET, LUND, RENGERT, VOSBURG AND SZCZEPANSKI. THERE WERE 6 "YES" VOTES.

VOTING NO WERE BRDAK, BRULEY, CAMPHOUS-PETERSON, CROUCHMAN, DeSAELE, DiMARIA, DOHERTY, DUZYJ, D. FLYNN, J. FLYNN, GIELEGHEM, HAGGERTY, MIJAC, ROBERTS, ROCCA, SAUGER, SWITALSKI, TOCCO, TORRICE AND SLINDE. THERE WERE 20 "NO" VOTES.

THE MOTION WAS DEFEATED.

MOTION

A motion was made by Lund, supported by DeSaele, to suspend the rules to go into Executive Session to discuss labor negotiations with Martha T. Berry.

Mr. Brumbaugh stated that Executive Sessions can only be held for specific reasons and he did not feel this was appropriate.

Chair Slinde did not accept the motion.

The following Commissioners spoke: Lund, Gielegthem, Torrice, Sauger and Rocca.

MOTION

A motion was made by Bruley, supported by Mijac, to call for the question.

A roll call vote was taken as follows:

Voting Yes were Brdak, Bruley, Camphous-Peterson, Crouchman, D. Flynn, J. Flynn, Gielegthem, Haggerty, Mijac, Roberts, Rocca, Sauger, Switalski, Torrice and Slinde. There were 15 "Yes" votes.

Voting No were Brown, DeSaele, DiMaria, Doherty, Drolet, Duzyj, Lund, Rengert, Tocco, Vosburg and Szczepanski. There were 11 "No" votes.

The Motion was Defeated. (lack of two-thirds vote)

The following Commissioner spoke: Bruley.

SUBSTITUTE COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DUZYJ, SUPPORTED BY VOSBURG, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS APPROVE THE PLAN TITLED "BLUE PRINT FOR CHANGE" PRESENTED BY THE SOCIAL SERVICES BOARD FOR THE MARTHA T. BERRY MEDICAL CARE FACILITY, WITH THE FOLLOWING CAVEATS: 2009 BUDGET IS LIMITED TO \$2 MILLION, 2010 BUDGET IS LIMITED TO \$1 MILLION AND THAT FUNDING FOR MARTHA T. BERRY BE CUT OFF FOR THE NEXT TWO MONTHS.

The following Commissioner spoke: Duzyj.

Commissioner Vosburg withdrew her support and Commissioner DiMaria supported the motion.

Commissioner Szczepanski requested a friendly amendment: to delete "THAT FUNDING FOR MARTHA T. BERRY BE CUT OFF FOR THE NEXT TWO MONTHS." It was accepted by the maker and supporter.

The following Commissioners spoke: Szczepanski, Bruley, Drolet, DiMaria and Doherty.

Commissioner Doherty offered a friendly amendment: 2009 WOULD BE \$3 MILLION, WHICH INCLUDES INDIRECT COSTS, INTEREST ON DEBT AND DEPRECIATION AND 2010 WOULD BE \$2 MILLION, WHICH INCLUDES INDIRECT COSTS, INTEREST ON DEBT AND DEPRECIATION; FURTHER, THAT THE SOCIAL SERVICES BOARD HAS DISCRETION OVER THE \$1.2 MILLION OF RESERVE MONTH. It was accepted by the maker and supporter.

The following Commissioners spoke: Brdak and Lund.

A ROLL CALL VOTE WAS TAKEN ON THE SUBSTITUTE MOTION AS FOLLOWS:

VOTING YES WERE DeSAELE, DiMARIA, DOHERTY, DUZYJ, RENGERT AND SZCZEPANSKI. THERE WERE 6 "YES" VOTES.

VOTING NO WERE BRDAK, BROWN, BRULEY, CAMPHOUS-PETERSON, CROUCHMAN, DROLET, D. FLYNN, J. FLYNN, GIELEGHEM, HAGGERTY, LUND, MIJAC, ROBERTS, ROCCA, SAUGER, SWITALSKI, TOCCO, TORRICE, VOSBURG AND SLINDE. THERE WERE 20 "NO" VOTES.

THE MOTION WAS DEFEATED.

The following Commissioners spoke: Rengert, Brown, Vosburg, DiMaria and DeSaele.

A ROLL CALL VOTE WAS TAKEN ON THE ORIGINAL MOTION AS FOLLOWS:

VOTING YES WERE BRDAK, BRULEY, CAMPHOUS-PETERSON, CROUCHMAN, DeSAELE, DiMARIA, D. FLYNN, J. FLYNN, GIELEGHEM, HAGGERTY, MIJAC, RENGERT, ROBERTS, ROCCA, SAUGER, SWITALSKI, TOCCO, TORRICE AND SLINDE. THERE WERE 19 "YES" VOTES.

VOTING NO WERE BROWN, DOHERTY, DROLET, DUZYJ, LUND, VOSBURG AND SZCZEPANSKI. THERE WERE 7 "NO" VOTES.

THE MOTION CARRIED.

**ITEM POSTPONED FROM 10-6-08 PERSONNEL COMMITTEE MEETING:
ADOPT RESOLUTION ESTABLISHING SALARIES AND COMPENSATION
IN LIEU OF FEES FOR MACOMB COUNTY COMMISSIONERS**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY ROCCA, SUPPORTED BY RENGERT, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT A RESOLUTION ESTABLISHING SALARIES AND COMPENSATION IN LIEU OF FEES FOR MACOMB COUNTY COMMISSIONERS.

The following Commissioner spoke: Rocca.

Commissioner Bruley offered a friendly amendment: ADD SECTION G: IN JANUARY OF EACH YEAR, ALL COUNTY COMMISSIONERS WOULD BE ALLOWED TO PURCHASE A SHORT-TERM DISABILITY POLICY AT THEIR OWN COST; NO COST TO THE COUNTY. It was accepted by the maker and supporter.

Commissioner Szczepanski offered friendly amendments: DELETE PARAGRAPH C AND INCLUDE LANGUAGE TO ALLOW COMMISSIONERS FOUR DAYS OF ABSENCES PER YEAR BEFORE REDUCING THEIR SALARY AND AMEND PARAGRAPH A AND CHANGE ONE PERCENT TO ONE-HALF PERCENT (\$162). They were accepted by the maker and supporter.

The following Commissioners spoke: Gielegghem, Vosburg, Rocca, Sauger, Lund, Duzyj, Camphous-Peterson, Doherty and DiMaria.

Mr. Brumbaugh provided clarification that the Board Chair is included in paragraph D.

Chair Slinde called for a vote to adopt the resolution, as amended, and **THE MOTION CARRIED WITH DUZYJ VOTING "NO."**

TRAVEL REQUESTS

MOTION

A motion was made by Vosburg, supported by Duzyj, to approve the travel requests as submitted.

Commissioner Drolet requested separation of the Sheriff's Office.

Chair Slinde called for a vote on all travel requests, with the exception of the Sheriff's Office and **The Motion Carried.**

Sheriff's Office

Chair Slinde called for a vote and **The Motion Carried with Drolet voting "No."**

EXECUTIVE SESSION TO DISCUSS CONFIDENTIAL CORRESPONDENCE FROM CORPORATION COUNSEL

Mr. Brumbaugh requested the addition of pending litigation.

MOTION

A motion was made by Duzyj, supported by Haggerty, to enter into Executive Session for the purpose of discussing a confidential correspondence from Corporation Counsel and pending litigation.

A roll call vote was taken as follows:

Voting Yes were Brdak, Bruley, Camphous-Peterson, Crouchman, DeSaele, DiMaria, Doherty, Drolet, D. Flynn, J. Flynn, Gielegthem, Haggerty, Lund, Rengert, Roberts, Rocca, Sauger, Switalski, Tocco, Torrice, Vosburg, Szczepanski and Slinde. There were 23 "Yes" votes.

Voting No was Duzyj. There was 1 "No" vote.

The Motion Carried.

In accordance with the motion, committee entered Executive Session at 12:41 p.m., with it concluding at 2:11 p.m.

**CONCUR IN RECOMMENDATION OF CORPORATION COUNSEL AS OUTLINED
IN CORRESPONDENCE CONCERNING GRIEVANCES**

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY TOCCO, SUPPORTED BY DOHERTY, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL AS OUTLINED IN CORRESPONDENCE CONCERNING GRIEVANCE NUMBERS 0305022, 0306019, 0306020 AND 0307005 AND RELATED CLAIMS. **THE MOTION CARRIED WITH D. FLYNN, LUND AND VOSBURG VOTING "NO."**

ADJOURNMENT

MOTION

A motion was made by Haggerty, supported by Roberts, to adjourn the meeting at 2:12 p.m.

A roll call vote was taken as follows:

Voting Yes were Brdak, Bruley, Camphous-Peterson, DeSaele, DiMaria, Doherty, Drolet, D. Flynn, J. Flynn, Gielegthem, Haggerty, Lund, Rengert, Roberts, Rocca, Tocco, Vosburg and Slinde. There were 18 "Yes" votes.

The Motion Carried.